



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,294	08/30/2000	TAKUMA KOBAYASHI	862.C1995	2584
5514	7590	10/31/2003		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER PATEL, ASHOKKUMAR B				
ART UNIT			PAPER NUMBER	
2127			5	

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/651,294

Applicant(s)

KOBAYASHI ET AL.

Examiner

Ashok B. Patel

Art Unit

2127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Application Number 09/651,294 was filed on 08/30/2000. Claims 1-20 are subject to examination.

#### *Priority*

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### *Specification*

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: "Display And Acquisition of Data, Exchanged By Interprocess, For The Physical Properties Of Solar Battery".

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peifer et al. (hereinafter Peifer)(US 6,112,224).

In accordance with claims 1-6, the reference of Peifer teaches:

(1) An information processing apparatus for accumulating measurement target data, said apparatus comprising:

(a) Acquisition means for acquiring the data; (Fig.2, 17, and "A plurality of medical devices are connected to a **control unit via a device interface** that uses a single interrupt. The **device interface transmits data from the medical devices to the control unit.**" col.2, lines 20-24).

(b) Display means for generating information to be displayed, on the basis of the acquired data, and (c) wherein said acquisition means and said display means exchange data by interprocess communication. (Fig.1, 58, 56, 54, and 52, and "Referring now to FIG. 1, a telemedicine system 10 is shown comprising a plurality of **central monitoring stations 54, 56, 58** connected via **communication network 52** to a plurality of patient monitoring stations 50a and 50b. As illustrated, a central monitoring station is provided at the hospital 54, the doctor's office 56 and the doctor's home 58.", col.3, lines 34-39).

Art Unit: 2127

(2) The apparatus according to claim 1, further comprising recording means for recording data obtained by interprocess communication on a recording medium. ("Through any of these central monitoring stations 54, 56, 58, a health care professional can obtain **diagnostic measurements performed on a patient at one of the remote patient monitoring stations 50a, 50b.**", col.3, lines 43-47.)

(3) The apparatus according to claim 1, further comprising communication means for transferring data obtained by interprocess communication to another information processing apparatus connected to a network. (Fig.1, 52, Communication Network, and "Referring now to FIG. 1, a telemedicine system 10 is shown comprising a plurality of **central monitoring stations 54, 56, 58** connected via **communication network 52** to a plurality of patient monitoring stations 50a and 50b. As illustrated, a central monitoring station is provided at the hospital 54, the doctor's office 56 and the doctor's home 58.", col.3, lines 34-39, and "Through any of these central monitoring stations 54, 56, 58, a health care professional can obtain diagnostic measurements performed on a patient at one of the remote patient monitoring stations 50a, 50b.", col. 3, lines 43-47).

(4) The apparatus according to claim 1, further comprising management means for controlling operations of said acquisition and display means in accordance with priorities of said acquisition and display means. ("Device interface 17 buffers and queues the requests and then uses single interrupt line 14 to indicate that it has data to transmit to control unit 11. Once control unit 11 is prepared to receive the data, device interface 17 sends the data to control unit 11 via data bus 15.", col.4, lines 26-31).

(5) The apparatus according to claim 1, wherein said acquisition and display means are provided as an integrated program which integrates said acquisition and display means. (Fig. 2, 26, Telemedicine Application Software, and "Fundamentally, the telemedicine application software 26 includes protocol conversion and data translation routines necessary to **facilitate communication between a central monitoring station and a patient monitoring station via communication network 52 and communication between control unit 11 and a diverse set of medical devices 21, 22, 23 within a patient monitoring station.**", col.6, lines 31-38.)

(6) The apparatus according to claim 1, wherein the measurement target is a solar battery. (Fig. 2, 21, 22, 23, Medical Devices, and "Through any of these central monitoring stations 54, 56, 58, a health care professional **can obtain diagnostic measurements performed on a patient at one of the remote patient monitoring stations 50a, 50b.**", col. 3, lines 43-47, and "Device interface 17 is connected to a plurality of medical devices 21, 22, 23. Additional medical devices (not shown) may be configured to communicate with the same control unit 11 via device interface 17 or an additional interface (not shown) connected to the same control unit.", col. 4, lines 10-15.)

The reference Peifer teaches displaying the diagnostic measurements performed on a patient at patient monitoring station received over a network (interprocess communication) where the measurements are acquired by device interface, communicating means for transferring the data to another information processing apparatus, providing the acquisition and display means as an integrated program (Telemedicine Application Software), controlling operations of

Art Unit: 2127

acquisition and display means in accordance with priorities but, the reference fails to explicitly teach of patient monitoring stations incorporating recording means for recording the data on a recording medium and the measurement target being a solar battery. However, the reference suggests that a health care professional can obtain diagnostic measurements performed on a patient at one of the remote patient monitoring stations and, the device interface is adaptable to configurable medical devices for communicating with the same control unit. Therefore, it would have been obvious for one in ordinary skill in the art at the time the invention was made to modify Peifer's patient monitoring system to incorporate a recording means to record the data along with monitoring, obtaining and displaying the data and, replacing medical device with a "configurable device" to attach to a desired measurement target or targets such as solar battery. Because, if needed the recorded data can be revisited for any other purpose and different solar battery properties can be targeted for their measurements.

6. Claims 7 -13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peifer et al. (hereinafter Peifer)(US 6,112,224).

In accordance with claims 7-12, the reference of Peifer teaches:

(7) An information processing method of accumulating measurement target data, said method comprising the steps of:

(a) Acquiring the data (The **device interface transmits data from the medical devices to the control unit.**" col.2, lines 22-24); and

(b) Generating information to be displayed, on the basis of the acquired data supplied by interprocess communication, (Fig.1, 58, 56, 54, and 52, and "Referring now to FIG. 1, a telemedicine system 10 is shown comprising a plurality of **central monitoring stations 54, 56, 58** connected via **communication network 52** to a plurality of patient monitoring stations 50a and 50b. As illustrated, a central monitoring station is provided at the hospital 54, the doctor's office 56 and the doctor's home 58.", col.3, lines 34-39).

(8) The method according to claim 7, further comprising the step of recording data obtained by interprocess communication on a recording medium. ("Through any of these central monitoring stations 54, 56, 58, a health care professional can obtain **diagnostic measurements performed on a patient at one of the remote patient monitoring stations 50a, 50b.**", col.3, lines 43-47.)

(9) The method according to claim 7, further comprising the step of transferring data obtained by interprocess communication to another information processing apparatus connected to a network. (Fig.1, 52, Communication Network, and "Referring now to FIG. 1, a telemedicine system 10 is shown comprising a plurality of **central monitoring stations 54, 56, 58** connected via **communication network 52** to a plurality of patient monitoring stations 50a and 50b. As illustrated, a central monitoring station is provided at the hospital 54, the doctor's office 56 and the doctor's home 58.", col.3, lines 34-39).

(10) The method according to claim 7, further comprising the step of controlling operations in the acquiring and generating steps in accordance with priorities of the acquiring and generating steps. ("Device interface 17 buffers and queues the requests and then uses

Art Unit: 2127

single interrupt line 14 to indicate that it has data to transmit to control unit 11. Once control unit 11 is prepared to receive the data, device interface 17 sends the data to control unit 11 via data bus 15.”, col.4, lines 26-31).

(11) The method according to claim 7, wherein the processing steps are provided as an integrated program which integrates the acquiring and generating steps. (Fig. 2, 26, Telemedicine Application Software, and “Fundamentally, the telemedicine application software 26 includes protocol conversion and data translation routines necessary **to facilitate communication between a central monitoring station and a patient monitoring station via communication network 52 and communication between control unit 11 and a diverse set of medical devices 21, 22, 23 within a patient monitoring station.**”, col.6, lines 31-38).

(12) The method according to claim 7, wherein the measurement target is a solar battery. (Fig. 2, 21, 22, 23, Medical Devices, and “Through any of these central monitoring stations 54, 56, 58, a health care professional **can obtain diagnostic measurements** performed on a patient at one of the remote patient monitoring stations 50a, 50b.”, col. 3, lines 43-47, and “Device interface 17 is connected to a plurality of medical devices 21, 22, 23. Additional medical devices (not shown) may be configured to communicate with the same control unit 11 via device interface 17 or an additional interface (not shown) connected to the same control unit.”, col. 4, lines 10-15.)

The reference Peifer teaches an information processing method to display the diagnostic data performed on a patient at patient monitoring station supplied by a network (interprocess communication) where the data are acquired by device interface, to transfer the data to another information processing apparatus connected to a network, to provide an integrated program (Telemedicine Application Software) to integrate the acquiring and generating (information to be displayed) steps as part of information processing, to control the operations of acquisition and display in accordance with priorities but, the reference fails to explicitly teach of patient monitoring stations to recording the data on a recording medium and the measurement target being a solar battery. However, the reference suggests that a health care professional can obtain diagnostic measurements performed on a patient at one of the remote patient monitoring stations and, the device interface is adaptable to configurable medical devices for communicating with the same control unit. Therefore, it would have been obvious for one in ordinary skill in the art at the time the invention was made to convert the Peifer's patient monitoring system into method incorporating the steps of recording the data on a recording medium and, replacing medical device with a “configurable device” to attach to a desired measurement target or targets such as solar battery. Because, if needed the recorded data can be revisited for any other purpose and different solar battery properties can be targeted for their measurements.

7. Claim 13 is a claim to a computer program product comprising a computer recording medium of claim 7. Therefore, claim 13 is rejected for the reasons set forth in above paragraph 6 for claims 7-13.

Art Unit: 2127

**Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A Grant can be reached on (703) 308-1108. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

\*\*\*

October 22, 2003

  
WILLIAM GRANT  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100  
10/28/03